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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,296	06/28/2001	Joseph M. Knoerle	36968-255224	7600
36192	7590	11/17/2005		
CANTOR COLBURN LLP 55 GRIFFIN ROAD SOUTH BLOOMFIELD, CT 06002			EXAMINER SALAD, ABDULLAHI ELMI	
			ART UNIT 2157	PAPER NUMBER
DATE MAILED: 11/17/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/894,296	KNOERLE ET AL.	
	Examiner	Art Unit	
	Salad E. Abdullahi	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9,11-28,30-50 and 52-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9,11-28,30-50 and 52-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. The amendment filed on 9/2/2005 has been received and made of record.
2. Applicant's argument with respect claims 1-9, 11-28, 30-50 and 52-63 have been fully considered but are moot in view of new grounds of rejection

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
5. Claims 1-9, 11-28, 30-50 and 52-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Xue et al. U.S. Patent No. 6,782,414[hereinafter Xue] in view of Sansone et al., U.S. Patent No. 6,865,560[hereinafter Sansone] and further in view of Buckley U.S. Patent No. 6,163,809[hereinafter Buckley]

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As per claim 1, Xue discloses a method for providing a status notification for a message in a communications network comprising:

- (a) assigning a message identifier for said message (see col. 6, lines 46-53);
- (b) receiving a destination identifier for communicating said status notification (see col. 7, lines 43-65); and
- (c) associating said destination identifier with said message (see fig. 8D and col. 13, lines 3-14).

Xue is silent regarding:

wherein said destination identifier comprises an address identifier indicating an address to which said status notification is to be sent, said address identifier indicating an address different than originating address for said message, and a format identifier identifying a format for said status notification.

Sansone discloses system for delivering confirmation service to a user/mailer/sender for specified destination address, wherein said destination identifier comprises an address identifier (e-mail address) indicating an address to which said status notification is to be sent, said address identifier indicating an address different than originating address for said message, and a format identifier identifying a format for said status notification (see 4, lines 34-42 and col. 5, lines 14-22). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate the teaching of Sansone such as said destination identifier comprises an address identifier indicating an address to which said status notification is to be sent, said address identifier indicating an address different than originating address for said message, and a format identifier

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identifying a format for said status notification into the system of Xue such that status notification may be delivered based on the user's notification preferences.

Xue and Sansone are silent regarding:

determining whether accessing of said message constitutes a triggering event and creating said status notification when said accessing message constitutes said triggering event.

Buckley discloses a system for preserving delivery status notification including determining whether accessing of said message constitutes a triggering event and creating said status notification when said accessing message constitutes said triggering event (see col. 18, lines 25-42). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention presented with teaching of Xue and Sansone to utilize the status notification mechanism as taught by Buckley such that delivery status notification information may be promptly processed.

As per claim 2, Xue discloses the method of claim 1, further comprising:

- (d) creating a disposition identifier in response to a disposition event (see fig. 8D and col. 13, lines 3-14); and
- (e) associating said disposition identifier with said message (see fig. 8D and col. 13, lines 3-14).

As per claim 3, Xue discloses the method of claim 2, further comprising:

- (f) compiling said disposition identifier and said message identifier to create said

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status notification in response to a triggering event (see figs. 8A-8E and col. 13, lines 3-14);and

(g) communicating said status notification in accordance with said destination identifier(see fig. 8D and col. 13, lines 3-14).

As per claim 4, Xue discloses the method of claim 3, further comprising:

(h) billing a party to said message for said providing of said status notification (see col. 2, lines 23-26).

As per claim 5, discloses the method of claim 2, wherein said disposition event comprises at least one of:

a managing event (see figs. 8A-8E and col. 13, lines 3-14);and

a dispatching event (see figs. 8A-8E and col. 13, lines 3-14).

As per claim 6, Xue discloses the method of claim 5, wherein said managing event comprises at least one of:

accessing said message,

deleting said message;

presenting an indication of said message (see figs. 8A-8E and col. 13, lines 3-14).

expiring said message', and

terminating a recipient of said message from said communications network.

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As per claim 7, Xue discloses the method of claim 5, wherein said managing event comprises at least one of:

denying said status notification of said message; and

malfunctioning of said status notification of said message (see figs. 8A-8E and col. 13, lines 3-14).

As per claim 8, Xue discloses the method of claim 5, wherein said dispatching event comprises at least one of:

forwarding said message(see figs. 8A-8E and col. 13, lines 3-14); and

replying to said message.

As per claim 9, Xue discloses the method of claim 3, wherein said triggering event comprises at least one of:

said disposition event(see figs. 8A-8E and col. 13, lines 3-14); and

a passage of time (see col. 13, lines 34-44).

As per claim 11, Xue discloses the method of claim 1, wherein said address identifier comprises at least one of:

an email address(see fig. D8, elements 834-840); and

an access address(see fig. D8, elements 834-840).

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As per claim 12, Xue discloses the method of claim 1, wherein said format identifier comprises at least one of:

an audio format;

a video format;

a text format;

a short message service format(see fig. D8, elements 834-840);and

a markup language document format.

As per claim 13, Xue discloses the method of claim 1, wherein said communications network comprises at least one of:

an electronic communications network (see fig. 6);

a text-based communications network;

a telecommunications network',

a video-enabled communications network; and

a multimedia-enabled communications network.

As per claim 14, Xue discloses the method of claim 1, wherein said message identifier comprises at least one of:

a type identifier;

an alphanumeric identifier (see fig. 8E);

a capabilities identifier; and

an annotation.

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As per claim 15, Xue discloses the method of claim 1, wherein said message identifier comprises at least one of:

a communication network identifier;

a device identifier;

a role identifier;

a party identifier(see fig. 8E);

a date identifier(see fig. 8E);and

a time identifier.

As per claim 15, wherein said role identifier comprises at least one of:

an originator,

a sender;

a caller;

a recipient(see fig. 8E); and

a system administrator.

As per claim 17, Xue discloses the method of claim 15, wherein said party identifier comprises at least one of:

an email address(see fig. 8E);

an access address;

a voice sample; and

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As per claim 18, Xue discloses the method of claim 1, further comprising storing an attribute for said status notification for said message, wherein said attribute comprises at least one of:

said message identifier;

said destination identifier(see fig. 8E);

said disposition identifier; and

said status notification(see fig. 8E).

As per claim 19, Xue discloses the method of claim 18, further comprising administrative functionality, wherein said administrative functionality comprises at least one of:

deleting said attribute (see fig. 8A and col. 11, lines 58-65);

monitoring said attribute;

moving said attribute;

forwarding said attribute;

selecting said attribute;

archiving said attribute (see col. 8, lines 38-46);

backing up said attribute;

informing a recipient of said attribute; and

blocking said attribute.

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As per claims 20-38, the claims include limitations similar to those of claim 1-19, thus claims 20-38 are rejected same rational as claims 1-19.

As per claims 39-41, Xue discloses the system of claim 37, further comprising a data repository operative to store said attribute (see 8, lines 38-60).

As per claims 42-50, and 52-53, the claims include limitations similar to those of claim 1-19, thus claims 42-50, and 52-53, are rejected same rational as claims 1-19.

As per claim 54-57, Xue discloses the system of claim 42, further comprising:
a service switching point functionality connected to said intelligent peripheral; and
an interface functionality connected to a service switching point and operative to accept communications from a second communications network (see fig. 6 and col. 11, lines 1-30).

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is **571-272-4009**.
9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


ABDULLAHI SALAD
PRIMARY EXAMINER